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June 22, 2021

The Honorable Graham Filler, Chair, *and*
Members of the House Judiciary Committee

Re: Support for House Bills 4847, 4848, 4849 and 4850

Dear Chairman Filler and Committee Members:

On behalf of AARP's approximately 1.3 million members in Michigan, we are pleased to offer AARP's support for House Bills 4847, 4848, 4849 and 4850. These bills would establish much-needed reforms to how adult guardianships and conservatorships are handled in Michigan's courts.

One out of every 7 adults in Michigan is currently serving as a caregiver for an adult family member. Thankfully, most families caring for an aging loved one do not end up in court. There are many ways that families can and do use advanced planning to minimize the need for a guardian or conservator to be appointed. Nevertheless, guardianship or conservatorship proceedings are sometimes needed.

House Bills 4847-4850 would establish new requirements that are in accordance with AARP policy and needed in here in Michigan as evidenced by years of both anecdotal and reported abuse, mismanagement of funds, and conflicts of interest involving professional guardians.

In particular we support:

- New requirements for the certification of professional guardians. AARP's [Policy Book](#) specifically calls on policymakers to require guardians who serve multiple unrelated individuals to be certified through programs that include training, testing, and accountability requirements.
- The bills' stronger due process protections for individuals that better reflect their right to self-determination, including stating that proceedings may be stayed to allow an individual the opportunity to explore alternatives to the appointment of a guardian, such as executing a Power of Attorney or Designation of Patient Advocate.
- The improved transparency and accountability the bills would provide to protect an individual's assets from misuse by an unscrupulous guardian or conservator.

- Strengthening the provisions in current Michigan law that are intended to limit the appointment of an unrelated professional guardian to those circumstances in which the individual indicates no preference and there is no family member willing and able to serve. Requiring a court to include reasons on the record for not following the priority of appointment as set forth in Section 5313 is a good start.

We applaud the bill sponsors and other members of the Elder Abuse Task Force for their work in identifying and pursuing the reforms these bills would make to reduce abuse by bad actors in Michigan's guardianship system.

We appreciate the opportunity to share these comments, and urge Committee members to vote YES on House Bills 4847-4850. If you have any questions or if there is further information we can provide, please feel free to contact Melissa Seifert at 517-316-6393 or mseifert@AARP.org, or Lisa Dedden Cooper at 517-694-4017 or lcooper@AARP.org.

Respectfully,



Lisa Dedden Cooper, J.D.
Manager of Advocacy



Melissa Seifert
Associate State Director, Government Affairs

AARP advocates on policy issues that matter the most to Michigan residents age 50 and over and their families, including health care, financial security, support for family caregivers and fighting fraud and abuse. AARP does not endorse candidates for public office or contribute to political campaigns or candidates. AARP has approximately 1.3 million members in Michigan.